

Members

Sen. Beverly Gard, Chairperson
Sen. Lindel Hume
Sen. Marvin Riegsecker
Sen. Vi Simpson
Rep. David Wolkins
Rep. Steve Heim
Rep. Ryan Dvorak
Rep. Matt Pierce
Dwayne Burke
Randal D. Edgemon
Nancy Michael
Michael K. Sutherlin
Ellen Tobias
Julia Wickard
Ray Chattin
Dave Wyeth
Thomas Easterly
Steve Murray



ENVIRONMENTAL QUALITY SERVICE COUNCIL

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Authority: P. L. 12-2005

MEETING MINUTES¹

Meeting Date: October 12, 2005
Meeting Time: 9:30 A.M.
Meeting Place: Governmental Center South, 302 W.
Washington St., Conference Room C
Meeting City: Indianapolis, Indiana
Meeting Number: 5

Members Present: Sen. Beverly Gard, Chairperson; Sen. Lindel Hume; Sen. Marvin Riegsecker; Sen. Vi Simpson; Rep. David Wolkins; Rep. Ryan Dvorak; Dwayne Burke; Nancy Michael; Michael K. Sutherlin; Julia Wickard; Ray Chattin; Dave Wyeth; Thomas Easterly; Steve Murray.

Members Absent: Rep. Matt Pierce; Rep. Steve Heim; Randal D. Edgemon; Ellen Tobias.

1. Call to Order

Chairperson Gard called the meeting to order at 9:40 AM.

2. Commissioner's Report

Tom Easterly, Commissioner of the Indiana Department of Environmental Management (IDEM), presented the Commissioner's Report (Exhibit #1), which includes updates on the following topics:

- combined sewer overflows
- air quality/non-attainment issues - Inspection and Maintenance program

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

- electronic reporting and Digital Inspector
- issued permits
- enforcement
- Environmental Crimes Task Force
- Performance Track program
- unconstitutional language
- Ground Water Task Force
- mercury switches
- rulemaking - Air Pollution Control Board; Water Pollution Control Board; Solid Waste Board

In response to questions from the Council, Mr. Easterly discussed the following:

- ozone non-attainment areas redesignation and new standards
- number of enforcement cases resolved by IDEM
- IDEM's policy on small communities and sewer treatment systems
- backlog of NPDES permits and staffing
- electronic submission of forms to IDEM
- electronic waste regulation

3. Environmental Funds

Commissioner Easterly provided the Council with a report on IDEM's dedicated funds (Exhibit #2). The report included information on the following dedicated funds:

- Solid Waste Management Fund
- Waste Tire Management Fund
- Voluntary Remediation Fund
- Title V Operating Permit Trust Fund
- Environmental Management Permit Operation Fund
- Voluntary Compliance Fund
- Environmental Management Special Fund
- Hazardous Substance Emergency Trust Fund
- Asbestos Trust Fund
- Petroleum Storage Tank Trust Fund
- Excess Liability Trust Fund (ELTF)
- Lead Trust Fund

For each of the dedicated funds, the report provided the following information:

- purpose and uses of the fund
- revenue sources: fees, general funds, federal funds
- revenue, expenses, and balance history

In response to questions from the Council, Mr. Easterly addressed the following topics:

- use of the Excess Liability Trust Fund monies for agency-wide services
- transfers to the Environmental Remediation Loan Fund
- priority of paying claims from funds
- reimbursements to consulting companies and land owners
- goals and objectives: eliminate permit backlogs, eliminate waste tires
- adequacy of fee levels for funding requirements

Chairperson Gard suggested that members of the Council send further questions regarding the report to IDEM, which then can be addressed at the next Council meeting. Chairperson Gard also suggested that a member of the Budget Agency attend the next Council meeting to

address questions regarding the ELTF's intended expenses, transfers from dedicated funds to the General Fund, and deposits from the Department of Revenue to IDEM's dedicated funds.

Jim McGoff, IDEM/Indiana Finance Authority, addressed the following dedicated funds, which are assigned to the Indiana Finance Authority (Exhibit #3):

- Wastewater Revolving Loan Fund (SRF)
- Drinking Water Revolving Loan Fund (SRF)
- Environmental Remediation Revolving Loan Fund
- Supplemental Drinking Water and Wastewater Assistance Operator Trust Fund

Mr. McGoff provided information for each of these funds similar to that provided in the dedicated funds report. He also addressed the following topics: federal funding, city of Indianapolis projects, and establishment of ability to pay.

4. Public Discussion

Tom Boyle, Boyle & Associates, recommended to the Council that incentives be used to encourage the building of ethanol plants in Indiana. He also suggested that the state require a mandatory blending of at least 10 percent ethanol in gasoline and fix the tax credit language in statute. Mr. Boyle noted that biodiesel should be included as well.

Maggie McShane, Indiana Petroleum Council, noted the following to the Council:

- ELTF: the Financial Assurance Board approved new rules that tightened eligibility requirements
- Indiana Petroleum Council will be meeting with the Department of Revenue in regards to fee revenue not being deposited in IDEM dedicated funds
- recommendation: ease mandate of high percentage blending of ethanol in gasoline as it requires costly investments to change infrastructure

Dr. Rae Schnapp, Hoosier Environmental Council, recommended the state needs to keep the Ground Water Task Force active.

5. Adjournment

Chairperson Gard adjourned the meeting at 12:10 PM.